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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,266	12/18/2003	Christian Auclair	4384-000067/CO	2270
27572	7590	03/20/2009		
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EXAMINER				
FETTEROLF, BRANDON J				
ART UNIT		PAPER NUMBER		
1642				
MAIL DATE		DELIVERY MODE		
03/20/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10740266	12/18/03	AUCLAIR ET AL.	4384-000067/CO

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## EXAMINER

BRANDON J. FETTEROLF

ART UNIT	PAPER
1642	20090316

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

The reply filed on 2/27/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment filed on 2/27/2009 has changed the scoped the scope of the invention elected on 12/04/2006 in response to the restriction requirement of 11/27/2006. For example, in the response filed on 12/04/2006 to the restriction requirement of 11/27/2006, Applicants elected a nucleic acid molecule comprising cDNA of a zyxin gene, fragment thereof or a complementary sequence. However, the amendment presented 2/27/2009 only recites claims limited to dolastatin 11, which is non-elected invention, e.g., a cyclic peptide. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Brandon J Fetterolf/  
Primary Examiner, Art Unit 1642